

COUNCIL AGENDA ITEM # \_\_\_\_ FOR  
TUESDAY, APRIL 27<sup>TH</sup>, 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

April 20, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 11260 Montana Avenue (Rep. District #5)

Scheduling a public hearing to be held on May 25<sup>th</sup>, 2004 to determine if the property located at 11260 Montana Avenue in the City of El Paso (Legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of record as of April 6<sup>th</sup>, 2004, Bob Cass, P. O. Box 1697, Clint, Texas 79836, Betty Jean Cass Best, P. O. Box 1697, Clint, Texas 79836, June Cass Bourland, 6496 S. Teller Court, Littleton, Colorado 80123, RimFire Industries, P. O. Box 513, Clint, Texas 79836, have been notified of the violations at this property. District #5

CITY CLERK DEPARTMENT  
2004 APR 22 AM 9 30

**JOE WARDY**  
MAYOR



**CITY COUNCIL**

**SUSAN AUSTIN**  
DISTRICT NO. 1

**ROBERT A. CUSHING Jr.**  
DISTRICT NO. 2

**JOSE ALEXANDRO LOZANO**  
DISTRICT NO. 3

**JOHN COOK**  
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**DANIEL S. POWER**  
DISTRICT NO. 5

**PAUL J. ESCOBAR**  
DISTRICT NO. 6

**VIVIAN ROJAS**  
DISTRICT NO. 7

**ANTHONY COBOS**  
DISTRICT NO. 8

**BUILDING PERMITS AND INSPECTIONS  
CODE COMPLIANCE  
March 2, 2004**

Floyd E. Cass  
Robert F. Cass  
P. O. Box 1697  
Clint, TX 79836-1697

Re: 11260 Montana Ave.  
Tract: 11-B  
Blk: 80, TSP 2 SEC 36  
T & P SURV  
Zoned: RF  
COD04-02328  
Certified Mail Receipt #  
7003 1680 0000 1712 0329

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

11260 Montana Avenue

- c. Boarded up, fenced, or otherwise secured in any manner in if:
  - i. The building constitutes a danger to the public even though secured entry, or
  - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 11260 Montana Avenue has the following violations:

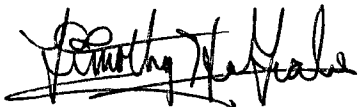
- a. The foundation has not been maintained in a safe manner.
- b. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter.
- c. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:



Timothy H. Grabe  
Building Inspector

THG/rl

7003 1680 0000 1712 0329

<b>U.S. Postal Service</b>	
<b>CERTIFIED MAIL RECEIPT</b>	
<small>(Domestic Mail Only; No Insurance Coverage Provided)</small>	
<small>For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a></small>	
<b>OFFICIAL USE</b>	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
MAR 03 2004	
Postmark Here	
Floyd E. Cass	
Robert F. Cass	
P. O. Box 1697	
Clint, TX 79836-1697	
Re: 11260 Montana Avenue	
PS Form 3811, August 2001	
See Reverse for Instructions	

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Floyd E. Cass  
Robert F. Cass  
P. O. Box 1697  
Clint, TX 79836-1697  
Re: 11260 Montana Avenue

2. Article Number  
(Transfer from service label)

PS Form 3811, August 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Betty Best*

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

*BETTY BEST*

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7003 1680 0000 1712 0329

Domestic Return Receipt

102595-02-M-1540



# **UNSAFE STRUCTURES REPORT**

## **BUILDING PERMITS AND INSPECTIONS**

**DATE OF EXAMINATION:** 2-23-04

**REP. DISTRICT:** 5

**ADDRESS:** 11260 Montana Avenue

**ZONED:** R-F

**LEGAL DESCRIPTION:** 80 TSP 2 SEC 36 T & P SURV TRACT 11-B

**OWNER:** Floyd E. & Robert F. Cass

**ADDRESS:** P. O. Box 1697, Clint, TX 79836

**BUILDING USE:** Commercial

**TYPE OF CONSTRUCTION:** III

**FOOTINGS:** Reinforced concrete

**CONDITION:** Poor – Stress cracks. A structural engineer should be hired to evaluate condition and make recommendations.

**FOUNDATION WALL:** N/A

**CONDITION:**

**FLOOR STRUCTURE:** Monolithic slab

**CONDITION:** Poor – Stress cracks. A structural engineer should be hired to evaluate and make recommendations.

**EXTERIOR WALLS:** 12"CMU, wood frame

**HEIGHT:** 15'

**THICKNESS:** 8"

**CONDITION:** Poor – Stress cracks. A structural engineer should be hired to evaluate and make recommendations.

**INTERIOR WALLS & CEILINGS:** CMU, 2 x 4 wood frame and sheetrock

**CONDITION:** Poor – Significant vandalization of sheetrock walls

**ROOF STRUCTURE:** 2 x 12 wood frame, plywood sheathing

**CONDITION:** Very poor – Needs to be replaced

**DOORS, WINDOWS, ETC.:** Metal doors, casement windows, wood garage doors  
**CONDITION:** Very poor – Significant vandalism, all need to be replaced.

**MEANS OF EGRESS:** OK  
**CONDITION:**

**PLUMBING:** Nonexistent service. A licensed plumber needs to be hired to evaluate and make repairs.

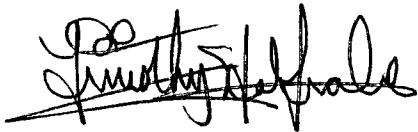
**ELECTRICAL:** Nonexistent service. A licensed electrical contractor should be hired to bring existing service up to code.

**MECHANICAL:** Nonexistent service. A licensed mechanical contractor should be hired to evaluate and make recommendations as to repairs.

**IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED:** 0

**WARNING POSTED:** No      **BARRICADED:** No      **POLICE AID REQD.:** No

**REMARKS:** This building has been open and abandoned for several years significant vandalism and building deterioration has rendered the structure unfit for use. The Department recommends that the structure be demolished.

A handwritten signature in black ink, appearing to read 'Timothy H. Grabe', written over a horizontal line.

Timothy H. Grabe  
Building Inspector

**Tidemark Advantage**

File Edit Options Window Help

**View / Edit Activity**

Activity: 0040 Desc: Refer to Fire	Updated: 3/15/2004 934	<b>Edit</b>
Disposition: <b>DONE</b>	Hold Level: No hold	<b>Sign Off</b>
Dates	Calendar Tag: FDCM	<b>Date 2</b>
Date Referred: 3/3/2004	Report Tag:	<b>OK</b>
Date Received: 3/3/2004	Assigned To: 934	<b>Help</b>
Date Completed: 3/10/2004	Done By: 934	

Notes:

vacant building  
not secured  
fire hazard

X-Coordinate:  
Y-Coordinate:

Comments:

Res:

Ready

Start [Icons] Printscreen 95 Tidemark Advantage 9:17 AM